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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/470,629	12/22/1999	Andrew Geoffrey Tomlins	476-1871	6386

7590 06/24/2004

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EXAMINER

MEHRA, INDER P

ART UNIT	PAPER NUMBER
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2666

DATE MAILED: 06/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/470,629

Applicant(s)

TOMLINS ET AL.

Examiner

Inder P Mehra

Art Unit

2666

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY [check either a) or b)]**

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_

Claim(s) objected to: \_\_\_\_\_

Claim(s) rejected: 2-6 and 9-15

Claim(s) withdrawn from consideration: \_\_\_\_\_

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_
10. ☐ Other: \_\_\_\_\_

Continuation of 5. does NOT place the application in condition for allowance because: For claims 14 and 15, Applicant argues, "the examiner has not explained exactly which feature (of the claim) lacks support" and that there is support for plurality of time slots in any mention of TDM, of course, and they are shown in many of the figures, e.g.g fig. 6". In response, it is stated that the whole of claims 14 and 15 (all features) are not supported by the specifications. Fig. 6 illustrates the multiplexing of E1s and T1s via primary multiplex groups (PMGs) into a secondary multiplex signal (SMS). Claims 14 and 15 do not read on fig. 6. The limitation "the interface comprises a timing reference and wherein the pointers identify first time slots in the frames relative to time reference, as recited in claims 14 and 15, is not supported by either drawings or specifications, refer to fig. 6 or specifications, pages 10-11. Therefore, these are new issues. Further, Applicant admits in response that, "there is support for the plurality of time slots in any mention of TDM of course. This limitation is, therefore, admitted to be well known in the art and is obvious. Applicant further argues," in Irwin, there is no suggestion that the header stream or any other part of the received cells are put into separate asynchronous cells for transport". In response, it is stated that Irwin discloses, demultiplexer 412 distributes ATM cells across lines 1-n, labelled 416, in accordance with the header information (480 fig. 5, refer to col. 13 lines 33-36). In fig. 5, headers are separated from cell traffic (payload), refer to bus 414 in fig. 5, for transport ahead of payload separately to be reunited by controller 490 at bus 413c, refer to col. 13 lines 28-35. .

Sunder Pal Mehra



DANGTON  
PRIMARY EXAMINER